

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88331 of 2025

Arising Out of PS. Case No.-389 Year-2025 Thana- MOTIPUR District- Muzaffarpur

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Buban Sahani @ Baban Sahani @ Baban S/o Manraj Sahani R/o Village-
Rasulaganj, P.S.- Motipur, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Advocate

For the Opposite Party/s : Mr.Asha Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 22-12-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with
Motipur PS. Case No. 389 of 2025 dated 09-11-2025, instituted
under Section 30(a) of the Bihar Prohibition and Excise Act .

3. The allegation is of recovery of 20 litres of country-
made liquor near the roadside at Sharma Chowk in village
Pahadchak Domuhi.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case. It is further submitted that no incriminating article
has been recovered from the conscious possession of the
petitioner or from the house of the petitioner; rather, the alleged
liquor was recovered from flank of the road at Sharma



Chowk, village Pahadchak Domuhi, accessible to all. The petitioner has no concern with the seized liquor and he has been implicated in this case merely on the basis of disclosure made by the local ‘*Chowkidar*. Lastly, it is submitted that petitioner has no criminal antecedents..

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise- II, Muzaffarpur, in Motipur PS. Case No. 389 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita 2023.

(Khatim Reza, J)

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